

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-02080-TSC**

MUSLIM ADVOCATES et al v. UNITED STATES
DEPARTMENT OF STATE et al
Assigned to: Judge Tanya S. Chutkan
Case: 1:18-cv-01546-TSC
Cause: 05:552 Freedom of Information Act

Date Filed: 10/05/2017
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

MUSLIM ADVOCATES

represented by **David J. Weiner**
ARNOLD & PORTER KAYE SCHOLER
LLP
601 Massachusetts Ave, NW
Washington, DC 20001
(202) 942-6702
Fax: (202) 942-5999
Email: david.weiner@apks.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard B. Katskee
AMERICANS UNITED FOR
SEPARATION OF CHURCH AND
STATE
Legal Department
1310 L Street, NW
Suite 200
Washington, DC 20005
(202) 466-3234
Fax: (202) 466-3353
Email: katskee@au.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sirine Shebaya
MUSLIM ADVOCATES
P.O. Box 34440
Washington, DC 20043
(202) 897-2622
Fax: (202) 508-1007
Email: sirine@muslimadvocates.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Johnathan James Smith
MUSLIM ADVOCATES
P.O. Box 34440
Washington, DC 20043
(202) 897-1897
Fax: (202) 508-1007
Email: johnathan@muslimadvocates.org
TERMINATED: 02/01/2019

Plaintiff

**AMERICANS UNITED FOR
SEPARATION OF CHURCH AND
STATE**

represented by **David J. Weiner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard B. Katskee
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sirine Shebaya
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

**SOUTHERN POVERTY LAW
CENTER**

represented by **David J. Weiner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard B. Katskee
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sirine Shebaya
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT
OF STATE**

represented by **Dena Michal Roth**
U.S. DEPARTMENT OF JUSTICE
Civil Division/Federal Programs Branch
1100 L Street NW
Room 11204
Washington, DC 20005
(202) 514-5108
Email: dena.m.roth@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Deepthy Kishore
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
P.O. Box 883
Washington, DC 20530
(202) 616-4448
Fax: (202) 616-8470
Email: deepthy.c.kishore@usdoj.gov
TERMINATED: 07/11/2018

Defendant

**UNITED STATES DEPARTMENT
OF HOMELAND SECURITY**

represented by **Dena Michal Roth**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Deepthy Kishore
(See above for address)
TERMINATED: 07/11/2018

Defendant

**UNITED STATES CUSTOMS AND
BORDER PROTECTION**

represented by **Dena Michal Roth**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Deepthy Kishore
 (See above for address)
 TERMINATED: 07/11/2018

Date Filed	#	Docket Text
10/05/2017	<u>1</u>	COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF against All Defendants (Filing fee \$ 400) filed by MUSLIM ADVOCATES, SOUTHERN POVERTY LAW CENTER, AMERICANS UNITED FOR SEPARATION OF CHURCH. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Civil Cover Sheet, # <u>6</u> Summons DEPT OF STATE, # <u>7</u> Summons DEPT OF HOMELAND SECURITY, # <u>8</u> Summons CUSTOM AND BOARDER PROTECTION, # <u>9</u> Summons DOJ, # <u>10</u> Summons US ATTORNEY'S OFFICE)(Weiner, David) (Entered: 10/05/2017)
10/05/2017	<u>2</u>	Corporate Disclosure Statement by AMERICANS UNITED FOR SEPARATION OF CHURCH, MUSLIM ADVOCATES, SOUTHERN POVERTY LAW CENTER. (Weiner, David) (Entered: 10/05/2017)
10/06/2017		Case Assigned to Judge Tanya S. Chutkan. (zsb) (Entered: 10/06/2017)
10/06/2017	<u>3</u>	SUMMONS (5) Issued Electronically as to CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 10/06/2017)
11/27/2017	<u>4</u>	NOTICE of Appearance by Richard B. Katskee on behalf of All Plaintiffs (Katskee, Richard) (Entered: 11/27/2017)
12/01/2017	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES CUSTOMS AND BORDER PROTECTION served on 11/28/2017; UNITED STATES DEPARTMENT OF HOMELAND SECURITY served on 11/28/2017; UNITED STATES DEPARTMENT OF STATE served on 11/28/2017. (Weiner, David) Modified on 12/4/2017 (znmw). (Entered: 12/01/2017)
12/01/2017	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 11/28/2017. (Answer due for ALL FEDERAL DEFENDANTS by 12/28/2017.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 11/28/2017. (See Docket Entry <u>5</u> to view document). (znmw) (Entered: 12/04/2017)
12/22/2017	<u>7</u>	Unopposed MOTION for Extension of Time to <i>Respond to Complaint</i> by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Kishore, Deepthy) (Entered: 12/22/2017)
12/26/2017		MINUTE ORDER: Granting <u>7</u> Unopposed Motion for Extension of Time to File Answer. Defendant shall answer or otherwise respond to the complaint by January 26, 2018. Signed by Judge Tanya S. Chutkan on 12/26/17. (DJS) (Entered: 12/26/2017)
12/27/2017		Set/Reset Deadlines: Defendants' answer or otherwise response to the Complaint is now due by 1/26/2018. (jth) (Entered: 12/27/2017)
01/26/2018	<u>8</u>	ANSWER to <u>1</u> Complaint by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE.(Kishore, Deepthy) Modified to add link on 1/29/2018 (znmw). (Entered: 01/26/2018)
01/27/2018		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiffs' FOIA request, the anticipated number of documents

		responsive to Plaintiffs' FOIA request, the anticipated date(s) for release of the documents requested by Plaintiffs, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues and that contains a proposed schedule and proposed order not later than 2/20/18. Signed by Judge Tanya S. Chutkan on 1/27/18. (DJS) (Entered: 01/27/2018)
01/28/2018		Set/Reset Deadlines: The parties shall file a Joint Status Report that contains a proposed schedule and proposed order by 2/20/18. (jth) (Entered: 01/28/2018)
01/29/2018	<u>9</u>	NOTICE of Appearance by Sirine Shebaya on behalf of All Plaintiffs (Shebaya, Sirine) (Entered: 01/29/2018)
02/02/2018	<u>10</u>	NOTICE of Appearance by Johnathan James Smith on behalf of MUSLIM ADVOCATES (Smith, Johnathan) (Entered: 02/02/2018)
02/20/2018	<u>11</u>	Joint STATUS REPORT by AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE, MUSLIM ADVOCATES, SOUTHERN POVERTY LAW CENTER. (Weiner, David) (Entered: 02/20/2018)
02/26/2018		MINUTE ORDER: Having considered the parties' Joint Status Report, it is hereby ordered that the parties shall file another report by April 15, 2018. The parties are reminded that all reports shall be accompanied by a proposed order, unless the court enters an order to the contrary. Signed by Judge Tanya S. Chutkan on 2/26/18. (DJS) (Entered: 02/26/2018)
02/27/2018		Set/Reset Deadlines: Status Report due by 4/15/2018. (tb) (Entered: 02/27/2018)
04/15/2018	<u>12</u>	Joint STATUS REPORT by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(Kishore, Deepthy) (Entered: 04/15/2018)
04/20/2018		MINUTE ORDER: Having considered the parties' joint status report <u>12</u> , it is hereby ordered that the parties shall file another joint status report and proposed order by June 3, 2018. Signed by Judge Tanya S. Chutkan on 4/20/18. (DJS) (Entered: 04/20/2018)
04/23/2018		Set/Reset Deadlines: Joint Status Report and proposed order due by 6/3/2018.(tb) (Entered: 04/23/2018)
06/03/2018	<u>13</u>	STATUS REPORT <i>Third Joint Report</i> by AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE, MUSLIM ADVOCATES, SOUTHERN POVERTY LAW CENTER. (Weiner, David) (Entered: 06/03/2018)
07/11/2018	<u>14</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Dena Michal Roth on behalf of All Defendants Substituting for attorney Deepthy Kishore (Roth, Dena) (Entered: 07/11/2018)
08/14/2018	<u>15</u>	Joint STATUS REPORT (<i>Fourth</i>) by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE. (Roth, Dena) (Entered: 08/14/2018)
08/17/2018		MINUTE ORDER: Having considered the parties' Joint Status Report <u>15</u> , a Status Conference is hereby set for 10/5/18 at 2:30 pm in Courtroom 9. The parties shall file another joint report by 9/28/18, along with a PROPOSED ORDER. At that time, if both parties agree that the status conference is unnecessary, the court will cancel the conference. Signed by Judge Tanya S. Chutkan on 8/17/18. (DJS) (Entered: 08/17/2018)
08/17/2018		Set/Reset Deadlines/Hearings: Joint Status Report due by 9/28/2018. Status Conference set for 10/5/2018 at 02:30 PM in Courtroom 9 before Judge Tanya S. Chutkan. (tb) (Entered: 08/17/2018)
08/20/2018	<u>16</u>	NOTICE of Change of Address by Johnathan James Smith (Smith, Johnathan) (Entered: 08/20/2018)
08/20/2018	<u>17</u>	NOTICE of Change of Address by Sirine Shebaya (Shebaya, Sirine) (Entered: 08/20/2018)

09/27/2018	<u>18</u>	NOTICE of Change of Address by Dena Michal Roth (Roth, Dena) (Entered: 09/27/2018)
09/28/2018	<u>19</u>	Joint STATUS REPORT (<i>Fifth</i>) by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(Roth, Dena) (Entered: 09/28/2018)
10/03/2018		MINUTE ORDER: Having considered the parties' joint status report <u>19</u> , it is hereby ordered that the status conference previously set for October 5, 2018 is hereby VACATED. The parties shall file another joint status report and proposed order by October 26, 2018. Signed by Judge Tanya S. Chutkan on 10/3/18. (DJS) (Entered: 10/03/2018)
10/04/2018		Set/Reset Deadlines: Joint Status Report due by 10/26/2018. (tb) (Entered: 10/04/2018)
10/26/2018	<u>20</u>	Joint STATUS REPORT by AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE, MUSLIM ADVOCATES, SOUTHERN POVERTY LAW CENTER. (Attachments: # <u>1</u> Text of Proposed Order)(Weiner, David) (Entered: 10/26/2018)
10/29/2018		MINUTE ORDER: Having considered the parties' joint status report <u>20</u> , it is hereby ordered that the parties shall file another joint report by 11/29/18 and every 60 days thereafter. To the extent the parties propose a briefing schedule, the report shall include a proposed order. Signed by Judge Tanya S. Chutkan on 10/29/18. (DJS) (Entered: 10/29/2018)
10/30/2018		Set/Reset Deadlines: Joint Status Report due by 11/29/2018. (tb) (Entered: 10/30/2018)
11/29/2018	<u>21</u>	Joint STATUS REPORT (<i>Seventh</i>) by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE. (Roth, Dena) (Entered: 11/29/2018)
01/28/2019	<u>22</u>	Unopposed MOTION for Extension of Time to <i>file Joint Status Report</i> by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE (Roth, Dena) (Entered: 01/28/2019)
01/28/2019		MINUTE ORDER: Granting <u>22</u> Motion for Extension of Deadlines. Joint Status report due February 4, 2019 and every 60 days thereafter. To the extent the parties propose a briefing schedule, the report shall include a proposed order. Signed by Judge Tanya S. Chutkan on 1/28/19. (DJS) (Entered: 01/28/2019)
01/29/2019		Set/Reset Deadlines: Joint Status report due 2/4/2019 and every 60 days thereafter. To the extent the parties propose a briefing schedule, the report shall include a proposed order. (jth) (Entered: 01/29/2019)
02/01/2019	<u>23</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to MUSLIM ADVOCATES, AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE. Attorney Johnathan James Smith terminated. (Smith, Johnathan) . (Entered: 02/01/2019)
02/04/2019	<u>24</u>	Joint STATUS REPORT (<i>Eighth</i>) by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE. (Roth, Dena) (Entered: 02/04/2019)
04/05/2019	<u>25</u>	Joint STATUS REPORT (<i>Ninth</i>) by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE. (Roth, Dena) (Entered: 04/05/2019)